



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,174	07/11/2001	Hawley K. Rising III	020699-002200US	1166

7590

08/27/2003

Maria Sobrino
Sokoloff Taylor & Zafman LLP
12400 Wilshire Boulevard Seventh Floor
Los Angeles, CA 90025

EXAMINER

CORRIELUS, JEAN M

ART UNIT	PAPER NUMBER
----------	--------------

2172

DATE MAILED: 08/27/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/904,174

Applicant(s)

RISING ET AL.

Examiner

Jean M Corrielus

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 2172:

DETAILED ACTION

1. This office action is in response to the preliminary amendment filed on March 28, 2002, in which claims 5-26 are added.

Drawings

2. Applicants are required to furnish the formal drawings in response this office action. No new matter may be introduced in the required drawing. Failure to timely submit a drawing will result in **ABANDONMENT** of the application.
3. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the limitations as described in the claims. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MEP. § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, all the limitations of the claims must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Art Unit: 2172:

Claim Rejections - 35 U.S.C. § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1-26 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The limitations of the claims can not be understood using the information described in the specification. The information given in the claims does not described the specification in a way to enable one having ordinary skill in the art to make and use the invention. The claims, however, can not be examined properly without providing a detail explanation as to how the claimed languages are link with the specification. Applicants are advised to amend the specification and provide a detail explanation as to where each claim language is described in the specification. Applicants are reminded that new matter should be added.

Claim Rejections - 35 U.S.C. § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2172:

8. Claims 1-26 as best understood by the examiner are rejected under 35 U.S.C. 102(b) as being anticipated by Seagraves US Patent No. 5,652,880.

As to claim 1, as best understood by the examiner, Seagraves discloses the claimed “writing a description between the entities, the description containing relations”(col.1, line 65-col.2, line 14; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61); “determining the relations that may be represented by parameters, each parameter having a numerical value”(col.2, lines 14-17; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61); and “obtaining from the user the numerical value for the parameter”(col.2, lines 17-22; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 2, as best understood by the examiner, Seagraves discloses the claimed “combining a state DS with an additional field in a Graphtype DS”(col.2, lines 14-17; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 3, as best understood by the examiner, Seagraves discloses the claimed “wherein combining allows a set of parameters to determine the strength of an edge, seen as a fuzzy member of the relation defined by edges on a set of vertices”(col.2, lines 17-22; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

Art Unit: 2172:

As to claim 4, as best understood by the examiner, Seagraves discloses the claimed “running, by a user, a query based on membership in the relation”(col.1, line 65-col.2, line 14; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 5, Seagraves discloses the claimed “writing a description between the entities, the description containing relations”(col.1, line 65-col.2, line 14; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61); “determining the relations that may be represented by parameters, each parameter having a numerical value”(col.2, lines 14-17; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61); and “obtaining from the user the numerical value”(col.2, lines 17-22; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 6, as best understood by the examiner, Seagraves discloses the claimed “combining a State DS with an additional field in a GraphTypeDS”(col.2, lines 14-17; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 7, as best understood by the examiner, Seagraves discloses the claimed “wherein combining allows a set of parameter to determine a strength of an edge that is a fuzzy member of a relation defined by edges on a set of vertices”(col.1, line 65-col.2, line 14; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61)

Art Unit: 2172:

As to claim 8, as best understood by the examiner, Seagraves discloses the claimed “performing a query based on membership in one of the relations”(col.1, line 65-col.2, line 14; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 9, as best understood by the examiner, Seagraves discloses the claimed “dynamically deriving a confidence value for the fuzzy relation from a parameter associated with one of the description schemes, the confidence value representing a degree to which the fuzzy relation is a member of a subset of relations among the description schemes”(col.2, lines 14-17; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 10, as best understood by the examiner, Seagraves discloses the claimed “wherein the parameter is an attribute value”(col.2, lines 17-22; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 11, as best understood by the examiner, Seagraves discloses the claimed “dynamically derived from a set of parameters associated with the description schemes”(col.1, line 65-col.2, line 14; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

Art Unit: 2172:

As to claim 12, as best understood by the examiner, Seagraves discloses the claimed “modifying the confidence value in response to change in the parameter as the multimedia sequence progresses”(col.2, lines 14-17; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 13, as best understood by the examiner, Seagraves discloses the claimed “wherein the description schemes represent entities in the multimedia sequence, the fuzzy relation represents a relationship between the entities, and the confidence value represents a state of the relationship” (col.2, lines 17-22; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 14, as best understood by the examiner, Seagraves discloses the claimed “wherein the state of the relationship is described by a state description scheme that specifies the parameter” (col.1, line 65-col.2, line 14; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 15, as best understood by the examiner, Seagraves discloses the claimed “associating the description schemes with a set of vertices in a graph and the subset of relations with a set of edges among the set of vertices”(col.1, line 65-col.2, line 14; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61); and “calculating the confidence value of the fuzzy relation using a membership function based on graph mapping”(col.2, lines 14-17; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

Art Unit: 2172:

As to claim 16, as best understood by the examiner, Seagraves discloses the claimed “wherein the membership function is $mx(X)=gOf(x)$, where R is the set of edges over the set of vertices AXB , g defines a function for the parameter over a parameter space PS , and if is a parameterization function $f: AXB \rightarrow PS, g:PS$ ”(col.2, lines 17-22; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claim 17, as best understood by the examiner, Seagraves discloses the claimed “writing the graph without the edge representing the fuzzy relation if the confidence value is zero”(col.2, lines 14-17; col.4, lines 37-63; col.6, line 5-63; col.8, lines 26-61).

As to claims 18-26 are computer readable medium having executable instruction to perform the method of claims 9-17. They are, therefore, rejected under the same rationale.

Conclusion

9. Any inquiry concerning this communication or early communication from the Examiner should directed to **Jean Corrielus** whose telephone number is (703) 306-3035. The Examiner can normally be reached on the weekdays from 7:00am to 5:30pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, **Kim Vu**, can be reached on (703)305-9343.

Any response to this action should be mailed to:

Serial Number: 09/904,174:

Page 9

Art Unit: 2172:

Commissioner of Patents and Trademarks Washington, D.C. 20231

or faxed to:


(703) 746-7239, (for formal communications intended for entry)

Or:

(703)746-7240 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to **Crystal Park II, 2021 Crystal Drive,**

Arlington, VA., Sixth Floor (Receptionist).

A handwritten signature in black ink, appearing to read 'J. Corrielus', with a stylized flourish at the end.

Jean M. Corrielus

Patent Examiner

August 21, 2003